

# Exhibit E

## Jeff Rabin

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**From:** Jeff Rabin  
**Sent:** Thursday, January 28, 2010 1:48 PM  
**To:** 'Dan\_Herp@playstation.sony.com'  
**Subject:** RE: New CSIRO Subpoena

Thanks Dan. Now that you mention it, I don't recall if you personally spoke to a procedure or remedy. As to SCEA's position, though, Jennifer Liu was quite clear on that point.

In any event, I'm hoping to have an update shortly on the status of discussions with Marvell.

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**From:** Dan\_Herp@playstation.sony.com [mailto:Dan\_Herp@playstation.sony.com]  
**Sent:** Thursday, January 28, 2010 1:34 PM  
**To:** Jeff Rabin  
**Subject:** RE: New CSIRO Subpoena

Jeff,

As a point of clarification with respect to your reference to a DQ motion in your email below, I did not mention any particular procedure or remedy during our discussions regarding this matter.

Dan

"Jeff Rabin" <[jrambin@capshawlaw.com](mailto:jrambin@capshawlaw.com)>

To: Dan Herp/Contractor/SCEA@Playstation

cc

01/27/2010 02:32 PM

Subject: RE: New CSIRO Subpoena

Dan,

Thanks for your email. From our side, we believe that the subpoena is proper. However, the face of the notice said we were willing to take the deposition at an agreed location and we have offered to take the deposition in California. I understood SCEA's position to be that it believes that it is improper for Townsend to seek or benefit from a deposition of Sony, and that SCEA would respond to any motion to compel a deposition with a DQ motion. We don't agree with that position, of course, but the upshot is that the offer to take the deposition in California does not address SCEA's primary concern. Likewise, we had reached the point of agreeing to disagree on the extent to which documents of corporate parent and siblings are within SCEA's possession, custody or control.

As we discussed, Marvell has expressed some willingness to work out an agreement with CSIRO regarding these documents. I hope that bears fruit so that we can avoid motion practice. We should know in the next day or two if those discussions will be productive. I'll let you know as soon as I find out.

Jeff

**From:** Dan\_Herp@playstation.sony.com [mailto:Dan\_Herp@playstation.sony.com]  
**Sent:** Wednesday, January 27, 2010 4:00 PM  
**To:** Jeff Rabin  
**Subject:** RE: New CSIRO Subpoena

Jeff,

Thanks for calling me back. As we discussed, Sony Computer Entertainment America Inc. ("SCEA") has the same objections to CSIRO's new subpoena to SCEA in the Marvell v. CSIRO action that it had to CSIRO's prior subpoena. It is SCEA's position that the location of the new deposition in Palestine, TX, violates FRCP 45(c)(3)(A)(ii). It is also SCEA's position the amount of notice provided for the new deposition is not reasonable, especially in light of the location of the deposition in Palestine, TX. Additionally, as we previously discussed, SCEA is not in a position to authenticate documents that were generated by other entities. Therefore, SCEA will not be appearing for deposition tomorrow morning in Palestine, TX.

Dan

"Jeff Rambin" <[jrambin@capshawlaw.com](mailto:jrambin@capshawlaw.com)>

01/27/2010 12:32 PM

To Dan Herp/Contractor/SCEA@Playstation  
cc  
Subject RE: New CSIRO Subpoena

Thanks. Got back-to-back conference calls. Should be done in about 45 mintues.

**From:** [Dan\\_Herp@playstation.sony.com](mailto:Dan_Herp@playstation.sony.com) [[mailto:Dan\\_Herp@playstation.sony.com](mailto:Dan_Herp@playstation.sony.com)]  
**Sent:** Wednesday, January 27, 2010 2:16 PM  
**To:** Jeff Rambin  
**Subject:** New CSIRO Subpoena

Jeff,

I got your voicemail and just left you a voicemail. Please give me a call. Thanks.

Dan

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Jeff,

Could you please give me a call at 650-655-5617 regarding the new subpoena to Sony Computer Entertainment America Inc. in the Marvell v. CSIRO case. Thanks very much.

Dan

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